

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

IN RE: ETHICON, INC.  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL 2327

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THIS DOCUMENT RELATES TO CASES  
IDENTIFIED ON EXHIBIT A

**MEMORANADUM OPINION AND ORDER**

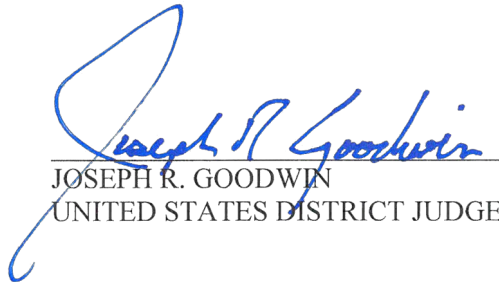
On October 23, 2020, I entered an order directing plaintiffs on Exhibit A to show cause on or before November 23, 2020, why their cases should not be dismissed as to Ethicon, Inc., Ethicon, LLC and/or Johnson & Johnson (collectively “Ethicon defendants”) for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure.

Plaintiffs’ counsel in the cases on Exhibit A responded to the Show Cause Order generally indicating that despite attempts to communicate with plaintiffs related to this latest show cause order, plaintiffs had either been unresponsive or minimally responsive. In all of the cases on Exhibit A, plaintiffs have not complied with the applicable scheduling orders or indicated any sincere effort to prosecute their cases, despite ample opportunity to do so. The court thus finds that the plaintiffs on Exhibit A have not shown good cause. The court **ORDERS**, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure and after weighing the factors identified in *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989),

that the Ethicon, Inc., Ethicon, LLC and/or Johnson & Johnson, as indicated on Exhibit A, are dismissed without prejudice. No defendants remain, and the court **DIRECTS** the Clerk to dismiss the cases on Exhibit A and strike them from the active docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party in the cases on Exhibit A.

ENTER: November 23, 2020



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

Exhibit A

<u>Case Number</u>	<u>Case Name</u>	<u>Defendants Named</u>
2:13-cv-13818	Clanton	Ethicon, Inc., Ethicon, LLC Johnson & Johnson
2:13-cv-15778	Gomez	Ethicon, Inc., Ethicon, LLC Johnson & Johnson
2:13-cv-18733	Ayala	Ethicon, Inc., Ethicon, LLC Johnson & Johnson